

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SOMALTUS LLC

Plaintiff,

VS.

ASUS COMPUTER INTERNATIONAL

Defendant.

SOMALTUS LLC

Plaintiff,

VS.

TOSHIBA AMERICA INFORMATION
SYSTEMS, INC.,

Defendant.

Case No: 2:16-CV-00757-JRG-RSP

LEAD CASE

Case No: 2:16-CV-00763-JRG-RSP

CONSOLIDATED CASE

STIPULATION OF DISMISSAL OF DEFENDANT
TOSHIBA AMERICA INFORMATION SYSTEMS, INC.

Plaintiff Somaltus LLC (“Somaltus”) and Defendant Toshiba America Information Systems, Inc. (“TAIS”) file this Stipulation of Dismissal under Fed. R. Civ. P. 41(a)(1)(A)(ii).

Somaltus and TAIS stipulate that:

1. Somaltus hereby stipulates to dismissal with prejudice of all of its claims against TAIS in this suit.
2. Somaltus and TAIS shall each bear its own attorneys' fees and costs incurred in connection with this action.

Dated: June 5, 2017

Respectfully submitted,

/s/ Jay Johnson

JAY JOHNSON

State Bar No. 24067322

BRAD KIZZIA

State Bar No. 11547550

KIZZIA JOHNSON PLLC

1910 Pacific Ave., Suite 13000

Dallas, Texas 75201

(214) 451-0164

Fax: (214) 451-0165

jay@kjpllc.com

bkizzia@kjpllc.com

ATTORNEYS FOR PLAINTIFF

/s/ Kevin J. Malaney

Kimberly K. Dodd (**LEAD ATTORNEY**)

Kevin J. Malaney

FOLEY & LARDNER LLP

777 East Wisconsin Avenue

Milwaukee, WI 53202-5306

Telephone: (414) 271-2400

Facsimile: (414) 297-4900

email: kdodd@foley.com

email: kmalaney@foley.com

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF CONFERENCE

The undersigned certifies that on June 5, 2017 he met and conferred with counsel for Defendant concerning this motion and that Defendant's counsel agreed to the motion.

/s/ Jay Johnson

Jay Johnson

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this document has been served on all counsel of record via electronic mail through Local Rule CV-5(a) on June 5, 2017.

/s/ Jay Johnson

Jay Johnson